

March 15, 2019

NORTON ROSE FULBRIGHT

Norton Rose Fulbright US LLP
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
United States

Clerk of the Eastern District of New York
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Direct line +1 713 651 5507
steve.dillard@nortonrosefulbright.com
Tel +1 713 651 5151
Fax +1 713 651 5246
nortonrosefulbright.com

Motion for Refund of Fees Paid Electronically

Dear Clerk:

On March 14, 2019, Pacer experienced technical problems resulting in me being charged for Pro Hac Admission fees pertaining to motions that were never accepted for filing through the Court's electronic filing system. Pacer wouldn't accept the fee payments online and sent an error message each time stating "cannot access court configuration data".

My assistant contacted Pacer about the problem who advised that they were having technical problems and to give them time to correct the problem. My assistant also emailed Frank F. Daley about the error and requested that the payments be cancelled. August Marzillano responded by email advising that this letter motion is required for reimbursement of fees paid electronically.

Accordingly, please refund the three payments in the amount of \$150.00 each to my credit card on file. Attached are the three payment receipts to be refunded, in addition to the three Motions that were filed today.

If you should require anything further, please contact me or my assistant Barbara Cooper at 713-651-5280; or Barbara.cooper@nortonrosefulbright.com.

Thank you for your attention in this matter.

Very truly yours,



Stephen C. Dillard

Encls.

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74214419.1

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Cooper, Barbara

From: do_not_reply@psc.uscourts.gov
Sent: Thursday, March 14, 2019 3:31 PM
To: Cooper, Barbara
Subject: Pay.gov Payment Confirmation: NEW YORK EASTERN DISTRICT COURT

Your payment has been successfully processed and the details are below. If you have any questions or you wish to cancel this payment, please contact: Frank Daley at (718)613-2581.

Account Number: 5709616
Court: NEW YORK EASTERN DISTRICT COURT
Amount: \$150.00
Tracking Id: BNYEDC-11288071
Approval Code: 167110
Card Number: ****2008
Date/Time: 03/14/2019 04:16:37 ET

NOTE: This is an automated message. Please do not reply

Cooper, Barbara

From: do_not_reply@psc.uscourts.gov
Sent: Thursday, March 14, 2019 3:38 PM
To: Cooper, Barbara
Subject: Pay.gov Payment Confirmation: NEW YORK
EASTERN DISTRICT COURT

Your payment has been successfully processed and the details are below. If you have any questions or you wish to cancel this payment, please contact: Frank Daley at (718)613-2581.

Account Number: 5709616
Court: NEW YORK EASTERN DISTRICT COURT
Amount: \$150.00
Tracking Id: ANYEDC-11288152
Approval Code: 183242
Card Number: **** * * * * 2008
Date/Time: 03/14/2019 04:22:56 ET

NOTE: This is an automated message. Please do not reply

Cooper, Barbara

From: do_not_reply@psc.uscourts.gov
Sent: Thursday, March 14, 2019 3:58 PM
To: Cooper, Barbara
Subject: Pay.gov Payment Confirmation: NEW YORK EASTERN DISTRICT COURT

Your payment has been successfully processed and the details are below. If you have any questions or you wish to cancel this payment, please contact: Frank Daley at (718)613-2581.

Account Number: 5709616
Court: NEW YORK EASTERN DISTRICT COURT
Amount: \$150.00
Tracking Id: ANYEDC-11288071
Approval Code: 127775
Card Number: ****2008
Date/Time: 03/14/2019 04:14:29 ET

NOTE: This is an automated message. Please do not reply

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

GARDEN CITY PARK WATER DISTRICT,

Plaintiff

-against-

THE DOW CHEMICAL COMPANY,
FERRO CORPORATION, and VULCAN
MATERIALS COMPANY,

Defendants.

Case No. 18-cv-7277

**NOTICE OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

TO: Opposing Counsel

PLEASE TAKE NOTICE that upon the annexed affidavit of movant in support of this motion and the certificate of Good Standing annexed thereto that I, Stephen C. Dillard, will move this Honorable Court pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, for an order allowing the admission of movant, a member of the firm of Norton Rose Fulbright US LLP and a member in good standing of the Bar of the State of Texas, as attorney *pro hac vice* as counsel for Defendant Vulcan Materials Company. There are no pending disciplinary proceedings against me in any state or federal court.

March 14, 2019.

Respectfully Submitted,

NORTON ROSE FULBRIGHT US LLP

/s/ Stephen C. Dillard

Stephen C. Dillard

NORTON ROSE FULBRIGHT US LLP

1301 McKinney, Suite 5100

Houston, Texas 77010

Phone: (713) 651-5151

Fax: (713) 651-5246

Steve.dillard@nortonrosefulbright.com

**ATTORNEY FOR VULCAN MATERIALS
COMPANY**

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

GARDEN CITY PARK WATER DISTRICT,

Plaintiff

-against-

THE DOW CHEMICAL COMPANY,
FERRO CORPORATION, and VULCAN
MATERIALS COMPANY,

Defendants.

Case No. 18-cv-7277

**AFFIDAVIT OF STEPHEN C.
DILLARD IN SUPPORT OF MOTION
TO ADMIT COUNSEL *PRO HAC VICE***

I, Stephen C. Dillard, being duly sworn, hereby depose and say as follows:

1. I am a partner with the law firm of Norton Rose Fulbright US LLP.
2. I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above-captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of Texas.
4. There are no pending disciplinary proceedings against me in any state or federal court.
5. I have not been convicted of a felony.
6. I have not been censured, suspended, disbarred or denied admission or readmission by any Court.
7. Wherefore, your affiant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in case no. 18-cv-7277 for Defendant Vulcan Materials Company.

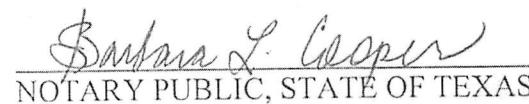
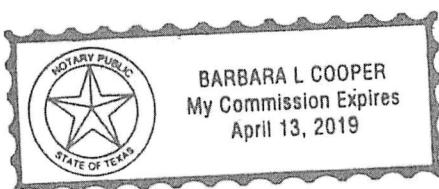
March 14, 2019



Stephen C. Dillard
NORTON ROSE FULBRIGHT US LLP
1301 McKinney, Suite 5100
Houston, Texas 77010
Phone: (713) 651-5151
Fax: (713) 651-5246
Steve.dillard@nortonrosefulbright.com

ATTORNEY FOR VULCAN MATERIALS
COMPANY

This instrument was acknowledged before me on this the 14th day of March, 2019.



Barbara L. Cooper
NOTARY PUBLIC, STATE OF TEXAS

My Commission expires:

4-13-2019

The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, BLAKE HAWTHORNE, Clerk of the Supreme Court of Texas, certify that the records of this office show that

Stephen C. Dillard

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 20th day of September, 1971.

I further certify that the records of this office show that, as of this date

Stephen C. Dillard

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my signature

and the seal of the Supreme Court of Texas at the City of Austin, this, the 7th day of March, 2019.

BLAKE HAWTHORNE, Clerk


Blake A. Hawthorne
Clerk, Supreme Court of Texas

No. 9582C.1

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

JERICHO WATER DISTRICT,

Plaintiff

-against-

THE DOW CHEMICAL COMPANY,
FERRO CORPORATION, and VULCAN
MATERIALS COMPANY,

Defendants.

Case No. 18-cv-07281

**NOTICE OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

TO: Opposing Counsel

PLEASE TAKE NOTICE that upon the annexed affidavit of movant in support of this motion and the certificate of Good Standing annexed thereto that I, Stephen C. Dillard, will move this Honorable Court pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, for an order allowing the admission of movant, a member of the firm of Norton Rose Fulbright US LLP and a member in good standing of the Bar of the State of Texas, as attorney *pro hac vice* as counsel for Defendant Vulcan Materials Company. There are no pending disciplinary proceedings against me in any state or federal court.

March 14, 2019.

Respectfully Submitted,

NORTON ROSE FULBRIGHT US LLP

/s/ Stephen C. Dillard
Stephen C. Dillard
NORTON ROSE FULBRIGHT US LLP
1301 McKinney, Suite 5100
Houston, Texas 77010
Phone: (713) 651-5151
Fax: (713) 651-5246
Steve.dillard@nortonrosefulbright.com

**ATTORNEY FOR VULCAN MATERIALS
COMPANY**

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

JERICHO WATER DISTRICT,

Plaintiff

-against-

THE DOW CHEMICAL COMPANY,
FERRO CORPORATION, and VULCAN
MATERIALS COMPANY,

Defendants.

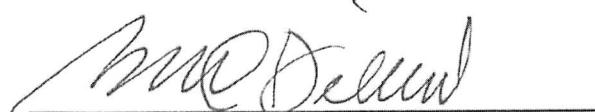
Case No. 18-cv-07281

**AFFIDAVIT OF STEPHEN C.
DILLARD IN SUPPORT OF MOTION
TO ADMIT COUNSEL *PRO HAC VICE***

I, Stephen C. Dillard, being duly sworn, hereby depose and say as follows:

1. I am a partner with the law firm of Norton Rose Fulbright US LLP.
2. I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above-captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of Texas.
4. There are no pending disciplinary proceedings against me in any state or federal court.
5. I have not been convicted of a felony.
6. I have not been censured, suspended, disbarred or denied admission or readmission by any Court.
7. Wherefore, your affiant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in case no. 18-cv-07281 for Defendant Vulcan Materials Company.

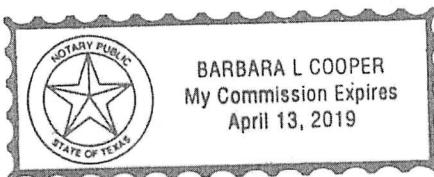
March 14, 2019.



Stephen C. Dillard
NORTON ROSE FULBRIGHT US LLP
1301 McKinney, Suite 5100
Houston, Texas 77010
Phone: (713) 651-5151
Fax: (713) 651-5246
Steve.dillard@nortonrosefulbright.com

ATTORNEY FOR VULCAN MATERIALS
COMPANY

This instrument was acknowledged before me on this the 14th day of March, 2019.



Barbara L. Cooper
NOTARY PUBLIC, STATE OF TEXAS

My Commission expires:

4-13-2019.

The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, BLAKE HAWTHORNE, Clerk of the Supreme Court of Texas, certify that the records of this office show that

Stephen C. Dillard

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 20th day of September, 1971.

I further certify that the records of this office show that, as of this date

Stephen C. Dillard

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my signature

and the seal of the Supreme Court of Texas at the City of Austin, this, the 7th day of March, 2019.

BLAKE HAWTHORNE, Clerk

Blake A. Hawthorne
Clerk, Supreme Court of Texas

No. 9582C.1

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

PORT WASHINGTON WATER DISTRICT,

Plaintiff

-against-

THE DOW CHEMICAL COMPANY,
FERRO CORPORATION, and VULCAN
MATERIALS COMPANY,

Defendants.

Case No. 18-cv-07266

**NOTICE OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

TO: Opposing Counsel

PLEASE TAKE NOTICE that upon the annexed affidavit of movant in support of this motion and the certificate of Good Standing annexed thereto that I, Stephen C. Dillard, will move this Honorable Court pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, for an order allowing the admission of movant, a member of the firm of Norton Rose Fulbright US LLP and a member in good standing of the Bar of the State of Texas, as attorney *pro hac vice* as counsel for Defendant Vulcan Materials Company. There are no pending disciplinary proceedings against me in any state or federal court.

Case 2:18-cv-07266-JS-AKT Document 24 Filed 03/15/19 Page 2 of 2 PageID #: 117

March 14, 2019.

Respectfully Submitted,

NORTON ROSE FULBRIGHT US LLP

/s/ Stephen C. Dillard
Stephen C. Dillard
NORTON ROSE FULBRIGHT US LLP
1301 McKinney, Suite 5100
Houston, Texas 77010
Phone: (713) 651-5151
Fax: (713) 651-5246
Steve.dillard@nortonrosefulbright.com

**ATTORNEY FOR VULCAN MATERIALS
COMPANY**

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

PORt WASHINGTON WATER DISTRICT,

Plaintiff

-against-

THE DOW CHEMICAL COMPANY,
FERRO CORPORATION, and VULCAN
MATERIALS COMPANY,

Defendants.

Case No. 18-cv-07266

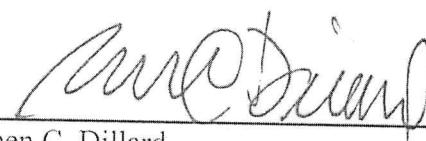
**AFFIDAVIT OF STEPHEN C.
DILLARD IN SUPPORT OF MOTION
TO ADMIT COUNSEL *PRO HAC VICE***

I, Stephen C. Dillard, being duly sworn, hereby depose and say as follows:

1. I am a partner with the law firm of Norton Rose Fulbright US LLP.
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4. There are no pending disciplinary proceedings against me in any state or federal court.
5. I have not been convicted of a felony.
6. I have not been censured, suspended, disbarred or denied admission or readmission by any Court.
7. Wherefore, your affiant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in case no. 18-cv-07266 for Defendant Vulcan Materials Company.

Case 2:18-cv-07266-JS-AKT Document 24-1 Filed 03/15/19 Page 2 of 2 PageID #: 119

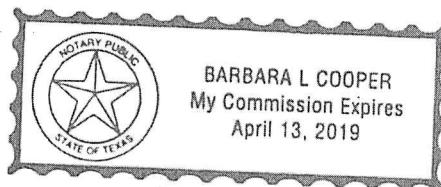
March 14 2019.



Stephen C. Dillard
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Houston, Texas 77010
Phone: (713) 651-5151
Fax: (713) 651-5246
Steve.dillard@nortonrosefulbright.com

ATTORNEY FOR VULCAN MATERIALS
COMPANY

This instrument was acknowledged before me on this the 14th day of March, 2019.



Barbara L. Cooper
NOTARY PUBLIC, STATE OF TEXAS

My Commission expires:

4-13-2019

Case 2:18-cv-07266-JS-AKT Document 24-2 Filed 03/15/19 Page 1 of 1 PageID #: 120

The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, BLAKE HAWTHORNE, Clerk of the Supreme Court of Texas, certify that the records of this office show that

Stephen C. Dillard

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 20th day of September, 1971.

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and the seal of the Supreme Court of Texas at the City of Austin, this, the 7th day of March, 2019.

BLAKE HAWTHORNE, Clerk

Blake A. Hawthorne
Clerk, Supreme Court of Texas

No. 9582C.1

This certification expires thirty days from this date, unless sooner revoked or rendered invalid by operation of rule or law.